

1
2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Tony Manzo, *et al.*,

10 Plaintiffs,

11 v.

12 Engrained Cabinetry and Countertops LLC,
13 *et al.*,

14 Defendants.

No. CV-22-08081-PCT-JJT

ORDER

15 The parties have notified the Court that they have reached a settlement “in
16 principle.” (Doc. 73.) They request that the Court stay all remaining deadlines in this case.
17 The Court will not take such a drastic action without a notice of settlement, which portends
18 an actual accord between the parties having legal significance—it extinguishes the claims
19 pending and divests the Court of jurisdiction. Announcement of a settlement “in principle”
20 has no such import or significance. It doesn’t end the case. Were the Court to vacate the
21 remaining deadlines on the basis of a settlement in principle, and then the parties decided
22 they could not or would not consummate settlement, much delay would ensue reinstating
23 and adjusting deadlines for the remaining milestones. This is inefficient as a practical
24 matter and incorrect as a legal one.

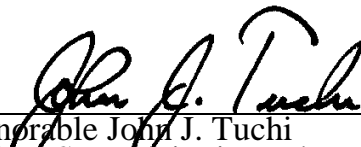
25 Accordingly, the Court declines to stay the pending deadlines based on the parties’
26 Notice of a settlement “in principle” (Doc. 73) but will give the parties an opportunity to
27 file an actual Notice of Settlement informing the Court that they have reached an accord.
28 If the parties are able to file an actual Notice of Settlement, the Court will vacate the

1 upcoming final pretrial conference, the associated deliverables, and the upcoming trial. In
2 that event, the Court will give the parties 30 days to consummate the settlement and file a
3 joint Notice of Dismissal. If the parties are unable to file an actual Notice of Settlement at
4 this time, the case will proceed on the presently set schedule. Because the deadline for the
5 parties' filing of the Joint Proposed Pretrial Order is imminent—July 8, 2024 (Doc. 72 at
6 1:16)—the Court will give the parties until noon on July 3, 2024, to file any actual Notice
7 of Settlement.

8 **IT IS HEREBY ORDERED** denying the parties' request in the Joint Notice of
9 Settlement (Doc. 73).

10 **IT IS FURTHER ORDERED** that the parties may file an actual Notice of
11 Settlement, as set forth in this Order by **12:00 noon (Arizona time) on July 3, 2024.**

12 Dated this 1st day of July, 2024.

13 
14 _____
15 Honorable John J. Tuchi
16 United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28